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 (202) 982-0032, Fax (202) 982-0357

July 13, 2005

From: James M. Stipek

Matter No.: 392531

To:	Company:	Fax Number:	Phone Number:
Examiner Geckil	U.S. Patent Office	(703) 872-9306	

Number of Pages Transmitted (including this cover sheet): 9

## Message:

Applicant(s) Charles A. Jennings  
 Serial No. 09/838,993  
 Filed April 20, 2001  
 For System And Method For Streaming  
 Media

Examiner	Mehmet B. Geckil
Group Art No.	2142
Confirmation No.	2725

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Fax Attendant:

A handwritten signature in black ink, appearing to read "J. Ridpath".

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<b>CERTIFICATE OF FACSIMILE TRANSMISSION 37 CFR 1.8</b>			Matter No.
Applicant(s): Charles A. Jennings			392531
Serial No.	Filing Date	Examiner	Group Art Unit
09/838,993	April 20, 2001	Mehmet B. Geckil	2142
Invention System And Method For Streaming Media			
<p>I hereby certify that the following: Facsimile Cover Sheet (1 page); Transmittal Form (1 page); Information Disclosure Statement (2 page); Form 1449 (1 page); Statement Under 37 CFR 1.97(e) (1 page); Fee Transmittal For FY 2005 (1 page in duplicate), authorization to charge \$180.00 for the late filing of Information Disclosure Statement; authorization to charge additional fees that may be required, or credit any overpayment, to Deposit Account No. 12-0600; are being sent via facsimile transmission to Attn: Examiner Geckil, c/o the Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 13th day of July, 2005</p>			
<p>_____ Janet Ridpath <small>Name of Transmitter</small></p>			
<p> _____ <small>Signature of Transmitter</small></p>			
<p>_____ (703) 872-9306 <small>Facsimile No.</small></p>			

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NO. 1011 P. 3

P-105B/21 (04-04)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

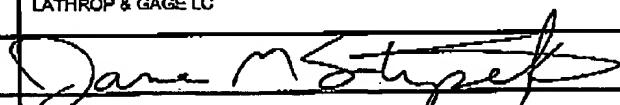
Total Number of Pages in This Submission

Application Number	09/638,993
Filing Date	April 20, 2001
First Named Inventor	Charles A. Jennings
Art Unit	2142
Examiner Name	Mehmet B. Geckil
Attorney Docket Number	392531

**ENCLOSURES (check all that apply)**

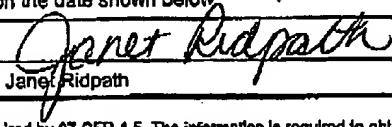
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Form 1449 Statement Under 37 CFR 1.97(e) Certificate of Facsimile Facsimile Cover Sheet
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**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm	LATHROP & GAGE LC		
Signature			
Printed Name	James M. Stipek		
Date	July 13, 2005	Reg. No.	39,308

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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature	
Typed or printed name	Janet Ridpath
Date	July 13, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT  
 Attorney Docket No.: 392531  
 Sent Via Facsimile: (703) 872-9306

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) Charles A. Jennings  
 Serial No. 09/838,993  
 Filed April 20, 2001  
 For System And Method For Streaming  
 Media

Examiner Mehmet B. Geckil  
 Group Art No. 2142  
 Confirmation No. 2725

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July 13, 2005

Commissioner For Patents  
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## INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This Information Disclosure Statement is submitted:

- under 37 CFR 1.97(b), or  
(Within three months of filing national application, or date of entry of national application, or before mailing date of first office action on the merits, whichever occurs last) 07/15/2005 BBONNER 00000016 120600 09838993  
01 FC:1806 180.00 DA
- under 37 CFR 1.97(c) together with either a:
  - Statement under 37 CFR 1.97(e), or
  - a \$180 fee under 37 CFR 1.17(p), or  
(After the CFR 1.97(b) time period, but before final action or notice of allowance, which ever occurs first)
- under 37 CFR 1.97(d) together with a:
  - Statement under 37 CFR 1.97(e)(1) or (2), and
  - a \$180.00 fee set forth in 37 CFR 1.17(p).  
(Filed after final action, a notice of allowance, or before payment of issue fee)

Please charge to Deposit Account 12-0600 the sum of \$180.00. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 12-0600 pursuant to 37 CFR 1.25.

Applicant(s) submit herewith Form PTO 1449 – Information Disclosure Citation together with copies of non-U.S. patents, publications or other information (if applicable) of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of the application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

A concise explanation of the relevance of foreign language patents, foreign language publications and other foreign language information listed on PTO Form 1449, as presently understood by the individual(s) designated in 37 CFR 1.56(c) most knowledgeable

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NO. 1011 P. 5

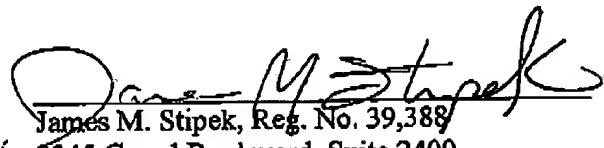
PATENT  
Attorney Docket No.: 392531  
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about the content is given on the attached sheet, or where a foreign language patent is cited in a search report or other action by a foreign patent office in a counter part foreign application, an English language version of the search report or action which indicates the degree of relevance found by the foreign office is listed on form PTO 1449 and is enclosed herewith

It is requested that the information disclosed herein be made of record in this application

Respectfully submitted,

LATHROP & GAGE LLC

  
James M. Stipek, Reg. No. 39,388  
2345 Grand Boulevard, Suite 2400  
Kansas City, Missouri 64108  
Tel No: 816/460-5848  
Fax No: 816/292-2001

PTO/SB/08a (08-03)

Approved for use through 07/31/2006. OMB 0851-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for Form 1449A/PTO		Complete if Known	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		<i>Application Number</i>	09/838,993
(Use as many sheets as necessary)		<i>Filing Date</i>	April 20, 2001
		<i>First Named Inventor</i>	Charles A. Jennings
		<i>Art Unit</i>	2142
		<i>Examiner Name</i>	Mehmet B. Geckil
		<i>Attorney Docket Number</i>	392531
Sheet	1	of	1

## **U.S. PATENT DOCUMENTS**

## **FOREIGN PATENT DOCUMENTS**

**Examiner Signature** \_\_\_\_\_ **Date Considered** \_\_\_\_\_

<sup>1</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.<sup>2</sup> Applicant's unique citation designation number (optional).<sup>3</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04.<sup>4</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).<sup>5</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.<sup>6</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 18 if possible.<sup>7</sup> Applicant is to place a check mark here if English language Translation is attached.

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PATENT  
Attorney Docket No.: 392531  
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) Charles A. Jennings  
Serial No. 09/838,993  
Filed April 20, 2001  
For System And Method For Streaming  
Media

Examiner Mehmet B. Geckil  
Group Art No. 2142  
Confirmation No. 2725

July 13, 2005

Commissioner For Patents  
P.O. Box 1450  
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## STATEMENT UNDER 37 CFR 1.97(e)

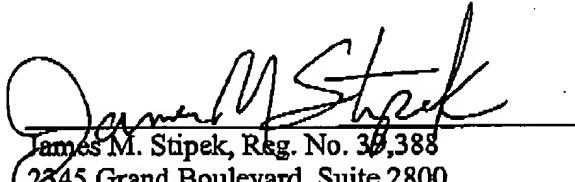
Dear Sir:

The undersigned hereby certifies that

- Each item of information contained in the Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or
- No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, but was cited in a related US application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement.

Respectfully submitted,

LATHROP &amp; GAGE LLC



James M. Stipek, Reg. No. 34,388  
2345 Grand Boulevard, Suite 2800  
Kansas City, MO 64108  
Tel No: 816/460-5848  
Fax No: 816/292-2001

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NO. 1011 P. 8/17 (12-04v2)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL  
for FY 2005** Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$ 180.00)

Complete if Known

Application Number 09/838,993

Filing Date April 20, 2001

First Named Inventor Charles A. Jennings

Examiner Name Mehmet B. Geckil

Art Unit 2142

Attorney Docket No. 392531

**METHOD OF PAYMENT** (check all that apply) Check  Credit Card  Money Order  None  Other (please identify) \_\_\_\_\_ Deposit Account Deposit Account Number: 12-0600 Deposit Account Name: LATHROP & GAGE LC

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Under 37 CFR 1.16 and 1.17

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**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fees Paid (\$)
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

**2. EXCESS CLAIM FEES****Fee Description**

Each claim over 20 (including Reissues)

Each independent claim over 30 (including Reissues)

Multiple dependent claims

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Small Entity	
				Fee (\$)	Fee (\$)
-20 or HP=	x	=	_____	50	25

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	
				Fee (\$)	Fee Paid (\$)
- 3 or HP=	x	=	_____	_____	_____

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	=	_____

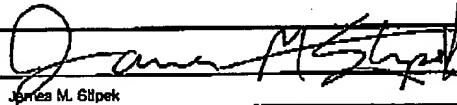
**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge) : Late Filing of Information Disclosure Statement

180.00

**SUBMITTED BY**

Signature		Registration No. (Attorney/Agent)	39,388	Telephone	(816) 460-5848
Name (Print/Type)	James M. Stipek			Date	July 13, 2005

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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NO. 1011 P. 9<sub>17</sub> (12-04v2)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2006 (H.R. 4818).

## FEE TRANSMITTAL for FY 2005

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$ ) 180.00

## Complete If Known

Application Number	09/838,993
Filing Date	April 20, 2001
First Named Inventor	Charles A. Jennings
Examiner Name	Mehmet B. Geckli
Art Unit	2142
Attorney Docket No.	392531

## METHOD OF PAYMENT (check all that apply)

Check  Credit Card  Money Order  None  Other (please identify) :

Deposit Account Deposit Account Number: 12-0600 Deposit Account Name: LATHROP & GAGE LC

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below  Charge fee(s) indicated below, except for the filing fee

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Under 37 CFR 1.16 and 1.17

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## FEE CALCULATION

## 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES	
	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)
Utility	300	150	500	250	200	100
Design	200	100	100	50	130	65
Plant	200	100	300	150	160	80
Reissue	300	150	500	250	600	300
Provisional	200	100	0	0	0	0

## 2. EXCESS CLAIM FEES

## Fee Description

Each claim over 20 (including Reissues)

## Small Entity

Fee (\$) Fee (\$)

50 25

200 100

360 180

Each independent claim over 30 (including Reissues)

Multiple dependent claims

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Small Entity	Fee (\$)	Fee Paid (\$)
-20 or HP=	x	=				

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 3 or HP=	x	=	

HP = highest number of independent claims paid for, if greater than 3.

## 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	=	

## 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge) : Late Filing of Information Disclosure Statement

180.00

## SUBMITTED BY

Signature

Registration No.

39,368

Telephone

(816) 460-5848

Name (Print/Type)

James M. Stipak

Date

July 13, 2005

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